

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

BROSNISLAVA KOSMAS, et al.,

Plaintiffs,

v.

CIVIL NO. 98-2330 (RLA)

SAN JUAN GRAND BEACH RESORT,
et al.,

Defendants.

**ORDER INSTRUCTING PLAINTIFF TO APPEAR FOR DEPOSITION AND
FOR MEDICAL EXAMINATION, SETTING DEPOSITION DEADLINES
RESCHEDULING SETTLEMENT CONFERENCE
AND SETTING JURY TRIAL AND PRETRIAL/SETTLEMENT CONFERENCE**

Deposition and Medical Examination

The Motion Requesting Order Regarding Pending Discovery, filed by third-party defendant J.P. CONSTRUCTION, INC. on December 21, 1999 (docket No. 31) is **GRANTED**.

Accordingly, plaintiff BRONISLAVA KOSMAS shall travel to Puerto Rico at her own cost for the taking of her deposition and for an independent medical examination both of which shall be scheduled for no later than February 7, 2000.

The physician's report shall be prepared no later than February 29, 2000 and the expert's depositions shall be taken no later than March 10, 2000.

Buy Clerk
(3)

(33) no

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Settlement Conference

Defendant having shown cause, the Motion Requesting Continuance for Settlement Conference, filed on January 10, 2000 (docket No. 32) is **GRANTED**.

Accordingly, the **SETTLEMENT CONFERENCE** originally set for January 12, 2000 is hereby **rescheduled** for **March 17, 2000 at 2:30 p.m.**¹

JURY TRIAL

TRIAL in this action hereby set for **August 24, 2000 at 9:30 a.m.**

PRETRIAL/SETTLEMENT CONFERENCE

A **PRETRIAL/SETTLEMENT CONFERENCE**, to be held before the undersigned,² is hereby scheduled for **August 15, 2000 at 3:30 p.m.**

A Proposed Joint Pretrial Order³ shall be filed **on or before August 8, 2000**, and shall contain the following:

I. Nature of the Case

A statement of the nature of the case agreed upon by all parties which shall include issues of jurisdiction. In the

¹ The parties shall contact the chambers of the undersigned to verify where the Conference will be held.

² The parties shall contact the undersigned's chambers to verify where the conference will be held.

³ A courtesy copy to be delivered directly to the chambers of the undersigned.

1 event that the parties cannot agree upon a single description,
2 separate versions shall be submitted.
3

4 **II. Theories of the Parties**

5 Each party shall present concisely its pertinent
6 legal theories including applicable citations to statutes and
7 caselaw. Counsel are directed to fully disclose all trial
8 issues since the Proposed Joint Pretrial Order will supersede
9 the pleadings in establishing the issues to be heard and
10 considered at trial.

11 **III. Admitted Facts**

12 The parties shall provide a comprehensive listing of
13 all admitted or stipulated facts.

14 **IV. Contested Facts**

15 The parties shall provide a listing of contested
16 facts.
17

18 **V. List of Exhibits**

19 This section shall contain a listing of all exhibits
20 which have been pre-marked/numbered. Each exhibit shall be
21 identified by a descriptive title as well as its identification
22 number. The parties shall indicate those exhibits, if any,
23 which are not objected to by opposing counsel.
24
25
26

VI. Depositions

The party wishing to use deposition testimony at trial shall list the depositions. Additionally, designations and objections shall be submitted in accordance with the undersigned's STANDING ORDER FOR CIVIL TRIALS issued on February 10, 1994.

VII. Witnesses and Interpreters

Each party shall identify witnesses to be presented at trial and include a brief, one paragraph, offer of proof.

Additionally, the parties shall specifically identify those witnesses who will need the services of a court-certified interpreter during trial.

VIII. Expert Witnesses and Interpreters

Each party shall list its expert witnesses and include his/her curriculum vitae and an offer of proof. If an expert report has been produced, the report shall be submitted in conjunction with the offer of proof. Additionally, the parties shall specifically identify those experts who will need the services of a court-certified interpreter during trial.

IX. Itemized Statement of Special Damages

In anticipation that the issue of special damages may arise, an itemized statement of special damages shall be incorporated into the Proposed Joint Pretrial Order. The party

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or parties not in agreement with the proposed statement shall include its/their opposition in this section.

X. Estimated Length of Trial

Parties shall indicate the estimated length of trial.

The Proposed Joint Pretrial Order may be modified by this Court only upon a showing of good cause.

STANDING ORDER

The parties shall file a TRIAL BRIEF, PROPOSED JURY INSTRUCTIONS, PROPOSED VOIR DIRE and PROPOSED VERDICT FORM⁴ no later than **August 17, 2000** in accordance with the undersigned's STANDING ORDER FOR CIVIL TRIALS issued on **February 10, 1994**.

The parties shall make the necessary arrangements with the courtroom deputy clerk to have the evidence marked prior to trial.⁵

IT IS SO ORDERED.

San Juan, Puerto Rico, this Th11 day of January, 2000.



RAYMOND L. ACOSTA
United States District Judge

⁴ Courtesy copies of all these documents shall be delivered directly to the chambers of the undersigned.

⁵ The parties shall furnish the undersigned an additional copy of all documents intended to be presented as evidence at trial.

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SUMMARY OF DEADLINES AND SETTINGS

2/7/2000 Deadline for plaintiff's deposition and independent medical examination.

2/29/2000 Deadline for physician's report.

3/10/2000 Deadline for experts' depositions.

3/17/2000 SETTLEMENT CONFERENCE at **2:30 p.m.**

8/8/2000 Deadline for filing JOINT PRETRIAL ORDER

8/15/2000 PRETRIAL/SETTLEMENT CONFERENCE at **3:30 p.m.**

8/17/2000 Deadline for filing TRIAL BRIEF, PROPOSED JURY INSTRUCTIONS, PROPOSED VOIR DIRE and PROPOSED VERDICT FORM

******** Parties to mark evidence prior to trial

******** Parties to provide the court copy of all documents intended to be presented as evidence at trial.

8/24/2000 JURY TRIAL at **9:30 a.m.**